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S P E E C H

OF

HON. DANIEL E. SICKLES, OF N. Y.,

ON

THE STATE OF THE UNION,

DELIVERED IN THE HOUSE OF REPRESENTATIVES, DEC. 10, 1860.

ON

The motion to excuse Hon. Mr. HAWKINS, of Florida, from serving on the Committee of one from each State, to which was referred so much of the President's Message as relates to the secession of States from the Union.

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Mr. SICKLES said :

Mr. SPEAKER : I will not be guilty of the presumption of supposing that anything that I can say by way of appeal to the gentleman from Florida will change his deliberate determination, or that anything I can address personally to the House will influence the vote upon this question ; but I have believed, as my distinguished colleague [Mr. JOHN COCHRANE] thought the other day, that the gentleman from Florida, and the members, at least upon this side of the House, would listen to an appeal in the name of the city of New York ; and it is only, sir, as a Representative of that city, in the hope of giving expression to something of the deep and universal solicitude which pervades the heart of that metropolis in this great crisis, that I would venture for a moment to claim the attention of the House.

The Constitution under which we live was inaugurated in that city from the lips of Washington. One of the earliest votes it gave was for Thomas Jefferson ; and the vote of that city decided the election of Mr. Jefferson, and therein the foundation of the Democratic party. It sustained, throughout, the administration of Madison. When treason lifted its head in other places, no voice but the voice of patriotism and loyalty was heard to pass the borders of the city. It sustained the administration of Jackson through all the struggles, throughout all the grave controversies which then imperiled the Union of these States. Not to speak of later and magnificent proofs of its devotion to constitutional statesmen and policy, the city has never given a vote that has looked to one section in disparagement of another. Every instinct, every thought, every purpose of the city of New York is, as its record proves, national, patriotic, American. It is in the name, then, of such a people, with such a past, that I would venture

to appeal to men on all sides of this Chamber for that moderation, that devotion to duty, yes, even for the self-sacrifices, which are necessary in this crisis.

Mr. Speaker, one of the great dangers of the day is that the country has not understood, and does not understand, the extent of the peril in which it is placed. Illusions have usurped the place of reason in the popular mind. These illusions beguile us for the moment, only to plunge us into graver situations. Does any man on this floor suppose, that if, in the month of October, the masses of the North could have realized what they now see to be the sad truth, we would stand now where we are, on the verge of dissolution? No man who knows the American people has the credulity to believe that. The country has been fatally deceived, and some of these illusions possess us even now. One of them is that this Union can be preserved by force: men believe that although we may be at the moment menaced by disunion, and although incipient movements toward it may be attempted without interference, and may be, perhaps, brought to the very verge of consummation without opposition, yet at last the strong arm of power will interpose and stay the work. I, for one, Mr. Speaker, have never for a moment entertained such a thought. It is not the opinion of the people whom I represent; and I must say to you, in all solemnity, that while the city of New York will cling to the Union to the last; while we will look on the last hour of its existence as we would upon the setting sun if we were never to see it more; yet when the call for force comes—let it come whence it may—no man will ever pass the boundaries of the city of New York for the purpose of waging war against any State of this Union, which, through its constituted authorities, and sustained by the voice of its people, solemnly declares that its rights, its interests, and its honor, demand that it should seek safety in a separate existence. I mean by that, sir, not to class myself among those who do not love the Union, for it has no more loyal citizens than those of the city of New York, for whom I undertake to speak to-day. I only mean to discharge my duty in endeavoring to contribute something towards dispelling the hallucination that exists in many places—yes, sir, in distinguished places—that the Union is to be preserved by armies. The Union can be made perpetual by justice—it cannot be maintained an instant by force. If these truths had been graven deep in the hearts of the people, North, East, and West, and had led to the conscientious recognition of constitutional obligations, all would have been well; and until these truths are recognized throughout the land we cannot have peace.

Jefferson said, "every State must judge for itself of the infraction of the compact, and of the mode and measure of redress." His authority should be potential with the Republicans, for they profess a pharasaical sort of respect for his opinions. But it is said that secession is revolution. Be it so. If it be a mode of revolutionary retaliation, it is not the less true that the revolutionary initiative has preceded secession, in the legislation and policy of the dominant party in the Northern States. Secession is the consequence, not the cause, of a condition of affairs which has made a longer adhesion to the Union incompatible with the welfare of some of its members. This conflict has been produced by the deter-

mination of the majority to use its power, acquired within the forms of the Constitution, for purposes subversive of its substance. The fatal decree has gone forth that the South is forever excluded from the Territories. How much the South loses or the North gains—whether it is a practical or an abstract grievance—are themes past discussion; I will only affirm of it that it is the overthrow of the Constitution by the mere arbitrary will of the majority. If the majority will signalize its control of the government by aggression, the minority will not suffer the usurpation to become a precedent by submission. The fundamental idea of the Constitution is the equality of the States and the equal rights of the citizens thereof, one with the other, in the Union and in all its possessions, privileges, and advantages. When this principle no longer controls the government, revolution has already done its work. And it is then a question for each State to decide for itself, in view of all its obligations to civilization and to the opinion of mankind, whether it will linger in the Union and endeavor to restore the equilibrium, or whether its interests will be better promoted out of the Union.

What is secession? It is the act of a sovereign State, declaring its independence, consummated by its citizens acting through their duly constituted authorities. It is not nullification, nor insurrection, nor sedition, nor invasion, nor is it the act of a mob. It is the act of sovereignty. It is not, therefore, an act against which the Federal Government may employ any of the force with which it is invested by the Constitution for the maintenance of peace and tranquillity within the Union. It follows, then, that to exert the military and naval power of the remaining States against a State which has renounced the Union, is a declaration of war. To what end shall we make war against a State which has been a member of the Union? Surely it could not be expected that the most successful prosecution of hostilities would promote the reconstruction of the Confederacy, or persuade the seceding State to return. Shall we seek to subdue it, and hold it as a mere territory, by conquest? This would be repugnant to the theory of our Government, which has never acquired territory without compensation, nor compelled the allegiance of independent States against their consent. It is equally in conflict with the principle, now generally recognized in Europe, acknowledging the right of States to determine by universal suffrage, not only their form of government, but the transfer of their allegiance from one authority to another. This principle has been illustrated by contemporaneous events in France, Tuscany, Modena, Parma, Naples, Lombardy, Sardinia, Savoy, and Nice. And it has been formally recognized by Great Britain. If the purpose of such a war be to destroy the power of the seceding State as a foreign enemy, let us at least wait for evidence of its antagonism. And if the object be to obtain a treaty of amity and intercourse, placing our citizens upon an equal footing with those of the most favored nations, all this would doubtless be conceded without war. We must not seek subjects where we should only look for allies.

Secession is the last dread alternative of a free State when it has to choose between liberty and injustice. In our Federal system the recognized right of secession is a conservative safeguard. It is the highest constitutional and moral

guarantee against injustice ; and therefore, if it had been always and universally acknowledged as a rightful remedy, it would have contributed more than all else to perpetuate the Union, by compelling the observance of all their obligations on the part of all the States. The opposite dogma, which is so extensively believed at the North, that no matter what wrongs a State may have to endure, it may and ought to be compelled by force to remain in the Union, even as a conquered dependency, is a most dangerous heresy, in our system of government, and has contributed largely to the existing anarchy.

Another illusion, Mr. Speaker, is, that the responsibility of dealing with this crisis, and that the power to deal with it, is in the South. This is not so. The southern people have their share of responsibility. Deep and heavy it is, I am sure ; and none are more sensible of it than they who carry the burden. I have no doubt they will act in full view of all their just responsibilities. But, sir, the southern Representatives on this floor cannot, if they would, no matter what personal sacrifices they may deem it their duty to make, arrest the movement which has already enlisted the support of the great masses of the southern people—certainly the greater part of the population of several important States, and sufficient to precipitate the most dreadful events upon us. I believe, the people of the city of New York believe, that the responsibility of dealing with the existing state of things, and the power to deal with it effectively, rest alone with the Republican leaders ; with those who have just achieved power in the Federal Government ; with those who control the Legislatures of northern States. There the responsibility rests. The country will place it there ; Europe and America will place it there ; history will place it there. Whatever the consequence may be, in the judgment of history and in the estimation of posterity, they will be held responsible. I think the country will regard the absolute silence which the Republican leaders, with a few honored exceptions, have thus far preserved as at least contemptuous, if not reckless of the dearest interests of the nation. But that is a question for them to consider.

When the pioneer sees the billows of flame rolling over the burning prairie, he does not waste the precious moments in a hopeless struggle against the intangible foe ; but he hastens to his cabin, and, gathering around him his family, leads them to a place of security. So the South, when the cry of extermination against their institutions has reached their frontiers ; when the slave already hears across the border the whispering emissary of insurrection, who has been suffered unrebuked to proclaim his infamous plots aloud in the streets and churches of the North ; now, when the family and fireside appeal for protection, is this a time to ask the representatives of southern States to abandon their measures of self-defense, and resume the weary task of persuading the demagogues and the fanatics of other States to undo the irreparable wrong which has been committed ? No, no. Let the representatives of the aggressive States, at the other end of the Capitol, and here, speak to their people. Let the Legislatures of the northern States be convened, and let them act. Let the sealed lips

of the Medusa head at Springfield be opened, and send back to their caverns the mal winds which are driving our good ship of State to destruction.

Again, I say, those who are responsible in this crisis must not be allowed to hide themselves nor to shrink from their duty. We must keep steadily in view those with whom the power rests to rescue the country from its peril; and therefore I do not concur in some of the criticisms which have been made upon the organization of this committee. I would be pleased to see the honorable gentleman from Ohio who last addressed the House [Mr. VALLANDIGHAM] upon the committee. I would be pleased to see the distinguished gentleman from Illinois [Mr. McCLELLAN] likewise upon the committee. My constituents would have been glad to be assured of their knowledge, their assiduity, their patriotism, in the councils of that committee; but these gentlemen, unfortunately, are not in a position to speak for the Legislatures of Ohio and Illinois; and I think it was wise, I think it was eminently proper and just in the Speaker, to place upon that committee leading members of the dominant party of this House and of the country; and especially was it right to place upon that committee, from each State, men identified with the party that controls the legislation of the State. So far as this has been done by the Speaker, I am prepared to commend his action in the discharge of his difficult and delicate duty.

It is suggested to me, as a cheering sign, that none of the gentlemen on the Republican side of the chamber have asked to be excused from service on this committee. It is regarded as an evidence that they are willing to meet the issue; that they are prepared to deal with the questions of the day one way or the other; that they are prepared to confer with their people at home, and see if there be such assurance of concession as will be just to the South and will enable us to go on together as one people; or whether, on the other hand, it is impossible to preserve peace between the sections; that there is no hope left for the Confederacy; that the party controlling the legislation of the northern States is willing to take the responsibility, before God and the country, of breaking up the Government rather than tolerate slavery within the Union. I am glad, therefore, that these gentlemen have been placed upon this committee. If I were to allow myself to make any criticism upon the composition of the committee, it would be the expression of a regret that gentlemen even more prominent—more ultra, if you will; more closely identified with the real life and strength of the Republican party—were not placed upon it. I would like to see in this House, and in the Senate, committees composed largely of men who are authorized to speak for the Republican party; of men who are intimate in the councils of the President elect; of men whose voice is potential in the Legislatures of their respective States; and then, if they are willing to bring before this Congress a report recommending measures which gentlemen from the South can accept, and go home to their constituents and ask them to accept, there is some prospect, at least some possibility, of emerging from this crisis with dignity, with success, and with honor. Otherwise there is none. The sad question that we will have alone

to consider then will be, how to terminate, or how to reconstruct this work which was so gloriously begun, and which has been, thus far, so successfully conducted.

Mr. Speaker, I hear a great deal said of propositions to amend the Constitution. I trust that there may be some reason to expect justice and conciliation through that channel. But, sir, I have a deep distrust of the capacity of this generation, and especially of any of the men of the Republican party, from whom the denunciations of the present Constitution have come, to make a Constitution that shall succeed where the genius, the wisdom, and the patriotism of Washington and Madison and Hamilton failed. What is the real cause of our present trouble? It is a disregard of the obligations of our Constitution. Obey the Constitution we have, cherish it, cleave to it as an article of faith, and you will have peace again. If that had been done always, this calamity never would have come upon us. But if there be not enough of conscience among the people to obey the Constitution made sacred by the inspiration of our fathers, where will you look for the sanctions that will preserve inviolate a Constitution manufactured by Giddings and Seward and Sumner. Sir, I despair of seeking in the North any public conscience that would have more reverence for the work of this generation than for the work of the men of the heroic age of the Republic.

The great evil of the times is the obdurate refusal to recognize the binding force of constitutional provisions. The people have been taught this by reckless leaders now in power in most of the States, and soon to claim the power of the Federal Government; and it is upon them that the responsibility rests in this emergency. They have striven, in speeches and essays elaborately prepared by the midnight lamp, to alienate the North and the South. These insidious appeals are written or revised by those who believe that private opinion is superior to constitutional obligations—the higher law—put forth here and sent from this Capitol in untold millions, to undermine the foundations of fraternal good faith. Thus, sir, by teaching untruth to the people they have been made to believe that their consciences were not bound by the Constitution or the law of the land. In the name of Heaven, how idle it is to talk, in the face of such a public opinion, of amending a Constitution, when none of those who follow the leaders to whom I refer, care whether it is obeyed or not! What a mockery it would be to go before the Legislatures of States which have “personal-liberty-laws” upon their statute-books, and ask them for an amendment to the Constitution! When men will keep such laws in force after they have taken a solemn oath to support the Constitution, can you believe any pledge they will make? Will you allow them to deface, by incongruous amendments, the symmetry of a Constitution which they have defiantly violated? Such men are well fitted to destroy a nation; they cannot save it, they will not give it peace.

No, sir, the work must begin deeper than that. The same teachers who have led the minds of the people to this unbelief, the same leaders who have enticed the people to the work of demolishing the existing Constitution, must again revive in them the conscience that will preserve and obey a Constitution. The Democratic party cannot do this; the Democratic speakers and Representatives and Senators cannot do this; for we have, in every canvass, from every hustings, from every newspaper, and through every legitimate channel, warned the people against the consequences of the course which they have been pursuing. There is no need, therefore, for guarantees or concessions from that quarter; but the country will look again and again, and will never cease to look to the leaders of the dominant party in this country for the measures, for the teachings, for the appeals which will prevent the demon of anarchy from making havoc in our land.

Mr. Speaker, why may not the President elect speak to the nation, especially to his supporters in the aggressive States? He is secure in his election. The electoral colleges have met. There is no fear now, as was suggested some time ago, that he might lose his office by opening his lips. The electoral colleges have met, and their votes cannot be recalled. Sir, I hope that it is not beneath the dignity of the occasion, or the gravity of the subject, for me to suggest an illustration of my view in respect of the influence which could be exercised by words of conciliation from Mr. Lincoln. I believe, that among the chief causes which have produced the present state of affairs, has been the desire for power on the part of a new party, and the hope that they could most successfully obtain it by an appeal to the prejudices of the North against slavery. It is power that they want. It is power that they have secured. It is power that they wish to keep. Patriotism will sway many of Mr. Lincoln's supporters; but the thirst for power will control more. Now, sir, to illustrate what I think with reference to the controlling motives which are producing this state of things, I believe that if Mr. Lincoln would cause it to be made known to all the applicants for office under his Administration, that he will not entertain the application of any man who is in favor of the so-called personal liberty laws, or opposed to the faithful execution of the fugitive slave law—if he will do that, plainly and in good faith, through his representative men, you will not hear the word slavery for the next four years from the Republican party North, East, or West.

In this remark, I protest that I mean only an illustration of what I consider to be the real power of the leaders in this anti-slavery crusade, and of their ability to control those who direct the legislation and the organization of the Republican party. The rank and file, many of them, have other and more disinterested motives than the pursuit of office; but the men who will seek office in the Republican party, are the men who control its movements everywhere, its public expressions, and its public action. It is only necessary to make them understand that they must go to work and rescue the country from the peril to which it has been brought by some of their own leaders, so that they may have a Treasury and a Blue Book left from which there are offices to select and patronage to bestow; and then you will escape the perils of dissolution by the very means through which the evil has been brought upon us, and not until then.

Now, sir, as to the attitude of the city of New York. We will cling to this Union while there is a hope left for its preservation, and we will hold the guilty to a just accountability for whatever woe shall betide the Confederacy; but when there is no longer a Union, proud as we are, and have been always, of our position as its metropolis, ready to bury everything like sectional prejudice, ready always to contribute in all things to maintain its honor and preserve its integrity at home and abroad; yet, when this Union is no more, we will not consent to remain the submissive appanage of a Puritan province. We will assert our own independence. The North will then see and feel that secession, although it may begin at the South, will not end at the South. Sir, there is no sympathy now between the city and the State of New York; not the least, nor has there been for years. The city of New York is now a subjugated dependency of a fanatical and puritanical State government, that never thinks of the city except to send its tax gatherers among us, or to impose upon us hateful officials, alien to our interests and sympathies, to eat up the substance of the people by their legalized extortions. Such are the relations which have existed for years between the city of New York and the State—ever since the present dominant party in that State has been in power. That party has a standing army of policemen in our city, which we have to pay for. Its Legislature has forced upon us taxation to the amount of millions to maintain a State government which never approaches us except to oppress us.

Between such communities there can be no sympathy, no feeling of fraternity. There is no loyalty in the city to the State. Nothing has prevented the city of New York from asserting her right to govern herself, except that provision of the Federal Constitution which protects a State from being divided without its own consent. If we had not been thus restrained by the Constitution—and every word of it is sacred to us—we would long ago, in accordance with the desire of three-fourths of our people, have sought in independence the only escape from a hateful government.

What I say to you now is no new thought in the city of New York. It has been the cherished theme of our citizens for years past. Our city has been brought to the very verge of anarchy and civil war by the outrages and insults of the State government; armed men have been marshaled in the streets night and day to prevent the public indignation from breaking into tumult and revolution. Regiment after regiment, artillery, infantry and cavalry, have been arrayed to overawe the fierce passions which tyrannical legislation aroused among the multitude of our citizens.

But the reverence of the people for constitutional obligations yet remained, and they have submitted year after year. When that restraint shall no longer exist; when the obligation of the constitutional compact, which forbids the division of a State without its own consent, shall be suspended, then I tell you that imperial city will throw off the odious government to which she now yields a reluctant allegiance; she will repel the hateful cabal at Albany, which has so long abused its power over her; and with her own flag, sustained by the courage and devotion of her own gallant sons, she will, as a free city, open wide her gates to the civilization and commerce of the world.

Mr. Speaker, I shall be reluctant to give a vote that will constrain the gentleman from Florida, against his judgment, to serve upon this committee. I shall regret to insist that a gentleman shall occupy a position in which he states it to be his sincere belief that he cannot render any good service; and yet I shall deplore to see any State unrepresented upon that committee. The hopes and the fears of those whose solicitude is now occupied with the condition of this country, will go to the council-chambers of that committee. The rights, the interests, and the opinions of every State, ought to be represented there. While I cannot, of course, permit myself to criticise the judgment which the gentleman from Florida places upon his own duty, yet I cannot bring myself to believe that it is consistent with the obligations resting upon every State, or that it is consistent with the duties we yet owe to each other, that the Representative of any State shall refuse to contribute his time, his attention, his conscientious and earnest efforts, in connection with the Representatives of associate States, to devise some mode by which we can be extricated from our present danger. Conscious of my inability to meet the demands of this occasion, when it is only the voice of communities and States that will command attention; yet again, I would impersonate my city; Liberty, Patriotism, and Justice illuminate her countenance; she extends her arms, as if to embrace a sister, towards every State; on her brow is the diadem of Empire; on her shield is her motto, "*Excelsior*;" and on her lips, in tremulous and imploring accents, "Peace;" and I will summon into this presence the august form of that majestic city, and ask you to hear and heed her appeal.







